

GROUNDWATER MANAGEMENT AREAS

October 19, 2005

Task 1 – Identification of Groundwater Management Areas

- DNR to establish exact boundaries of groundwater management areas in Brown and Waukesha Counties
- Committee to recommend other areas to be designated as groundwater management areas
- Committee to recommend how and when to remove the designation of an area as a groundwater management area

Brown County & Waukesha County

- Exact boundaries of areas to be established by DNR by rule
- Covers area including and surrounding Brown County and Waukesha County where groundwater potentiometric surface has been reduced by 150 feet or more from level if no groundwater had been pumped
- Includes entire area of each city, village or town within the 150 foot depression

Recommendation for Other Designated Areas

- Committee to recommend other areas to be designated as groundwater management areas
 - Areas where withdrawal of groundwater over the long term adversely affects water quality due to the effects of drawdown of the groundwater; and
 - There is a need for a coordinated response to address the effects on groundwater availability or quality

Recommendation for Other Designated Areas (cont.)

- If Committee will recommend the designation of other groundwater management areas, Committee is to first consult with affected local governmental units
- Committee will also recommend how and when to remove the designation of an area as a groundwater management area

Task 2 - Administrative Rules

- Recommend administrative rules to implement Act 310 in designated groundwater management areas
- Must issue report with administrative rule recommendations by 1/1/2007 OR
- DNR to promulgate rules to address the management of groundwater in groundwater management areas

Content of Administrative Rules

- Management of groundwater in groundwater management areas
- May include a coordinated strategy for addressing groundwater management issues by affected local governmental units and regional planning commissions with assistance of DNR and other state agencies
- May include a mitigation program

Suggestion for Administrative Rules

- Suggest administrative rules which require development of groundwater management area plans. Include:
 - Identification of groundwater management areas
 - Who does the plan
 - What information the plan will look at
 - Best management practices to be considered for groundwater management (including mitigation plan)
 - Standard that is being managed to
 - DNR acceptance of plan

NR 121, Areawide Water Quality Management Plans, as a model

- Purpose
- Applicability
- Definitions
- Structure of the management plan
- Content of the management plan
- Designation of planning areas and agencies
- Procedures for approval of plans and plan revisions

Attributes of NR 121 Model

- Does not apply statewide but rather to designated areas
- Different planning entities may be designated to do the planning in different parts of the state
- Plans may be different, but must meet requirements set by rule
- Plans will be reviewed and approved by DNR
- Rules identify the type of information that must be reviewed and considered in the plans
- Rules identify the best management practices that must be considered in the plan
- Plans may be different in different parts of the State

Task 3 - Legislation

- Recommend legislation to address the management of groundwater in designated groundwater management areas
 - Where needed to implement groundwater management area planning
 - Where needed to enforce groundwater management area plans

Task 4 - Mitigation

- Recommend a mitigation program for groundwater management areas
 - Mitigation program may include abandonment of wells and replacement of wells, if necessary
 - Mitigation program may include management strategies
 - DNR must provide full funding for mitigation unless well must be abandoned because of public health reasons

Where Do We Go From Here

- Task 1
 - DNR works on defining groundwater management areas for Brown County and Waukesha County
 - After DNR finished, Committee works on recommendations of other areas to be designated as groundwater management areas
 - Task J from the Framework

Where Do We Go From Here

- Task 2
 - Incorporate Tasks from the Framework into a draft administrative rule
 - Task A - Identify the target(s) or goal(s) for successful groundwater management within the groundwater management areas. What are we managing to? How can this be measured?
 - Established goals or targets should be defined in the rule

Where Do We Go From Here – Task 2 (cont)

- Task B: Identify the technical information needed to evaluate (i) current status within groundwater management areas (including analysis of cumulative impact of withdrawals), and (ii) potential impact of identified management options? What information is already available, and what information needs to be developed or gathered?
 - Rule should require review of information as part of plan development.
 - Also relevant to analysis of best management practices
 - Identify and include in draft rule

Where Do We Go From Here – Task 2 (cont)

- Task C: Identify and investigate potential management strategies which decrease groundwater usage, including but not limited to conservation, changes in water pricing, and water reuse. Identify advantages, disadvantages, and implementation issues.
 - Relevant to best management practices identified in the Rule
 - Enumerate and include in draft rule.

Where Do We Go From Here – Task 2 (cont)

- Task D: Identify and investigate potential management strategies which retain and increase groundwater recharge, including but not limited to reduction in impervious areas and increases in stormwater infiltration. Identify advantages, disadvantages, and implementation issues
 - Relevant to best management practices identified in the rule
 - Enumerate and include in draft rule

Where Do We Go From Here – Task 2 (cont)

- Task E: Identify and investigate potential management strategies based upon coordinated operational management of high capacity wells. Identify advantages, disadvantages, and implementation issues.
 - Relevant to best management practices identified in the Rule
 - Enumerate and include in draft rule

Where Do We Go From Here – Task 2 (cont)

- Task F: Identify and investigate technical and legal issues related to changing water source to either a surface water source or another groundwater source. Identify advantages, disadvantages, and implementation issues.
 - Relevant to development of groundwater management area plan.

Where Do We Go From Here – Task 2 (cont)

- Task G: Identify potential organizations to prepare draft of groundwater management plans. Identify advantages, disadvantages, and issues with regard to each. Consider legal authority, funding ability, and ability for diverse involvement with regard to each.
 - Relevant to designated planning agency identified in the rule

Where Do We Go From Here – Task 2 (cont)

- Task I: Examine and summarize groundwater management models from other states and/or countries. Identify items for further investigation
 - Relevant to all aspects of rule development

Where Do We Go From Here – Task 2 (cont)

- Practical Questions
 - Who prepares and manages draft of administrative rule?
 - How is information incorporated into rule?
 - When are issued discussed?
 - What can we learn from practical experience?
 - How does work contemplated by the draft rule compare to the study and planning done in Brown County and Waukesha County?

Where Do We Go From Here – Tasks 3 & 4

- Task 3. Development of Legislation
 - Identify areas of needed legislation as administrative rule is developed
- Task 4. Development of Mitigation Plan
 - To be developed after draft of administrative rule is prepared

Issues

- Staff Assistance
- Timeline
- Separate subcommittee meetings